



RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD, PO BOX 163
RINDGE, NH 03461

Tel. (603) 899-5181 X100 Fax (603) 899-2101 TDD 1-800-735-2964
www.town.rindge.nh.us

Hearing Date: September 27, 2011
Decision Date: September 27, 2011
Case Number: 1033

Notice of Decision

You are hereby notified of the Decision in the case of: Dana and Rebecca Ryll / Case #1033:

Dana and Rebecca Ryll, 38 Fieldstone Lane, Rindge, NH 03461, Map 25 Lot 8. For a Variance from Article 6, Section C-2 of the Rindge Zoning Ordinance requiring a setback of 50 feet from the edge of a Right-of-Way.

Sitting on this case:

Regular members: Marcia Breckenridge, Dave Drouin (Vice Chair), Janet Goodrich (Chair), Bill Thomas, and Phil Stenersen.

Alternates: Joe Hill and Rick Servint

A variance can be granted only if an applicant satisfies all five variance criteria.

1. **The variance is not contrary to the public interest because:** It is a dead-end right of way that serves only their property. (Unanimous consent)
2. **Special conditions do exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship:**
The special conditions are that there is a dead-end right of way on the property that extends approximately 300 feet into their property, and the right of way prevents the applicant from using the property as proposed. (3Y: Breckenridge, Goodrich, Stenersen / 2N: Drouin, Thomas)
 - a. **The proposed use is a reasonable one because:**
The benefit sought by the applicant cannot be achieved by some other reasonably feasible method because: the dead-end road extends approximately 300 feet into their property. (3Y: Breckenridge, Goodrich, Stenersen/2N: Drouin, Thomas)
3. **The variance is consistent with the spirit and intent of the Rindge Zoning Ordinance because** it does not have a negative impact on health, safety and welfare and it has no negative impact on surrounding values. (Unanimous consent)
 - b. **There is no significant benefit to the Town in denying the variance because:** It meets the spirit and intent of the ordinance. (3Y: Breckenridge, Goodrich, Stenersen / 2N: Drouin, Thomas)



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4. **Substantial justice is done by granting the variance because,** if the variance is denied, the applicant will be burdened because he will lose pasture land and his farming operation will be less efficient. (Unanimous consent)
5. **Granting the variance will not diminish the value of surrounding properties.** (Unanimous consent)

Variance granted because: All criteria have been successfully met. Stenersen motioned to approve and Breckenridge seconded.

Vote: 3Y (Breckenridge, Goodrich, Stenersen) / 2N (Drouin, Thomas)

Respectfully submitted,
Linda Stonehill
Clerk

Janet Goodrich
Chairman

David Drouin
Vice Chairman